

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated.

FILED
PUBLIC UTILITIES COMMISSION
SEPTEMBER 6, 2001
SAN FRANCISCO, CALIFORNIA
RULEMAKING 01-09-001

Order Instituting Investigation on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated.

FILED
PUBLIC UTILITIES COMMISSION
SEPTEMBER 6, 2001
SAN FRANCISCO, CALIFORNIA
INVESTIGATION 01-09-002

**ADMINISTRATIVE LAW JUDGE'S RULING
SEEKING NEW DATE TO FILE MOTIONS FOR
EVIDENTIARY HEARINGS REGARDING PHASE 1 ISSUES**

On October 18, 2001, Verizon California Inc. (Verizon) submitted a letter on behalf of itself, the Office of Ratepayer Advocates, and The Utility Reform Network in which these parties request an extension of time to file motions for evidentiary hearings regarding Phase 1 issues. The current date for filing such motions and the requested date are as follows:

Item Due	Current Date	Proposed Date
Motions for Evidentiary Hearings	October 26, 2001	December 7, 2001
Replies to Motions ¹	November 12, 2001	December 14, 2001

¹ The requested schedule shortens the time for reply from 15 days to 7 days.

The Verizon letter states that the requested extension of time will allow the parties “to participate in a collaborative approach in narrowing the issues in Phase 1, as described in Verizon’s Opening Comments filed October 9, 2001.” Verizon’s opening comments recommend a procedure whereby certain Phase 1 issues would be resolved via a “workplan” developed by the parties, while all other Phase 1 issues would be resolved through written comments and/or hearings. Verizon’s opening comments also recommend the following schedule for resolving Phase 1 issues:

Item	Date
Order Instituting Rulemaking & Order Instituting Investigation	September 6, 2001
Submit Issue Matrix and Proposed Workplan	October 25, 2001
Collaborative Sessions, As Needed	November 12-30, 2001
Joint Final Matrix/Workplan	December 7, 2001
Motions for Hearing	December 7, 2001
Replies to motions for Hearings	December 14, 2001
Final Scoping Memo (Phase 1)	December 21, 2001
Verizon Direct Testimony/Comments	January 18, 2002
ORA Rebuttal	February 1, 2002
Verizon Reply	February 15, 2002
Hearings, if Necessary	March 4, 2001
Opening Briefs	March 25, 2001
Reply Briefs	April 8, 2002
Draft Interim Decision re: Phase 1	May 6, 2002

The Verizon letter states that Pacific Bell was advised of the requested extension of time, and that Pacific Bell has no objection to the request.

The Order Instituting Rulemaking & Order Instituting Investigation (OIR/OII) contains a proposed schedule that indicates this proceeding should conclude within 18 months. The requested extension of time would provide eight months to resolve Phase 1 issues, leaving just 10 months to resolve Phases 2 and Phase 3 issues, which appear to be far more numerous and complex than the Phase 1 issues.

In order to keep this proceeding on track for finishing within 18 months, it is not possible to grant the requested extension of time. However, to provide an opportunity for the parties to narrow the Phase 1 issues, the due date for filing motions for evidentiary hearings on Phase 1 issues will be extended by two weeks. Any such motion should recommend a schedule for resolving all Phase 1 issues within the timeframe set forth in the OIR/OII. As suggested by Verizon in its letter, the due date for replies will be shortened from 15 days to 7 days.

IT IS RULED that the due date for filing motions for evidentiary hearings regarding Phase 1 issues is extended from October 26, 2001, to November 9, 2001. Replies to the motions are due no later than November 16, 2001.

Dated October 24, 2001, at San Francisco, California.

/s/ Timothy Kenney
Timothy Kenney
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting New Date to File Motions for Evidentiary Hearings Regarding Phase 1 Issues on all parties of record in this proceeding or their attorneys of record.

Dated October 24, 2001, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.